

RECEIVED  
CENTRAL FAX CENTER

DEC 16 2005

Cardiac Rhythm Management Division  
701 East Evelyn Avenue  
Sunnyvale, California 94086

## FACSIMILE COVER SHEET

Deliver to: Jessica Reidel; USPTO Art Group: 3762  
Facsimile No.: 571-273-8300 Date: December 15, 2005  
Application No.: 10/828,897 Filing Date: April 20, 2004  
Our Docket No.: A04P3006-US1 No. of pgs including cover sheet: 10  
From: Steven M. Mitchell, Reg. No.: 31,857

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: Response ( <u>7</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal (In duplicate)
<input checked="" type="checkbox"/> Transmittal/Fee Transmittal ( <u>2</u> pg)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Appeal Brief (in triplicate) ( <u>    </u> pgs)	<input type="checkbox"/> Petition for:
<input type="checkbox"/> Application: ( <u>    </u> pgs w/ cover & abstract)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Assignment & Recordation Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request to Rescind Previous
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input type="checkbox"/> Extension of Time:	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other:	<input type="checkbox"/> Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at fax no.: **571-273-8300**.

  
Esther Campbell 12/16/05  
Date

**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from St. Jude Medical CRMD which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (408) 522-6181 and ask for Esther Campbell.

RECEIVED

CENTRAL FAX CENTER Docket No. A04P3006-US1

DEC 16 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re application of: Michael Paris

---

Serial No.: 10/828,897

Art Unit: 3762

Filing Date: April 20, 2004

Examiner: Reidel, Jessica L.

For: METHODS AND DEVICES FOR DETERMINING HEART RATE RECOVERY

---

Docket No.: A04P3006-US1

---

MailStop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Dear Sir:

Submitted herewith for filing are the following documents:

X 7 page(s) Amendment and Response to Office Action

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther L. CampbellSignature *Esther Campbell*Date December 16, 2005

RECEIVED  
CENTRAL FAX CENTER

Docket No. A04P3006-US1

DEC 16 2005

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED		NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	15	- 20 =	0	X \$ 50	\$ 0.00
B	INDEPENDENT CLAIMS FEE**	2	- 3 =	0	X 200	0.00
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 0.00
D	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$360					
E	BASIC FILING FEE * LARGE ENTITY = \$300					
F	SEARCH FEE * LARGE ENTITY = \$500					
G	EXAMINATION FEE * LARGE ENTITY = \$200					
H	<b>TOTAL FILING FEE**</b> (ADD TOTALS FOR LINES C, D, E, F AND G)					\$ 00.00
<input checked="" type="checkbox"/> Charge Deposit Account No. <b>22-0265</b> the amount of <b>\$00.00</b> <b>A copy of this fee transmittal is enclosed.</b>						

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 22-0265:

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

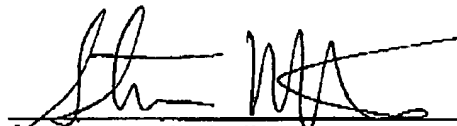
☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 22-0265:

☒ Any patent application processing fees under 37 CFR 1.17.

☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: Dec. 16, 2005



Steven M. Mitchell  
Attorney for Applicant(s)  
Reg. No. 31,857

**CUSTOMER NUMBER: 24473**

RECEIVED  
CENTRAL FAX CENTER

Patent

DEC 16 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Michael Paris

Application No.: 10/828,897

Filed: April 20, 2004

For: METHODS AND DEVICES FOR  
DETERMINING HEART RATE  
RECOVERY

Examiner: Reidel, Jessica L.

Art Unit: 3762

Confirmation No.: 6172

Docket No.: A04P3006-US1

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the Office Action dated September 29, 2005, Applicant respectfully requests that the above-identified application be amended as follows and that the following remarks be considered:

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther CampbellSignature Date December 16, 2005